

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

John D. West, on Behalf of Himself and All Other Persons Similarly Situated,)
)	
Plaintiff,)
)	
v.)
)	
AK Steel Corporation Retirement Accumulation Pension Plan, and)
)	
AK Steel Corporation Benefit Plans Administrative Committee)
)	
Defendants.)
)	

**JOINT MOTION TO CONTINUE BRIEFING ON
PLAINTIFF'S ATTORNEYS' FEE MOTIONS**

On January 18, 2006, plaintiff filed two motions with the Court seeking attorneys' fees and costs in this action. (Docket nos. 131, 132). On February 3, 2006, defendants filed a motion requesting that the Court defer consideration of plaintiff's fee motions pending resolution of defendant's appeal of the Court's forthcoming final judgment to the United States Court of Appeals for the Sixth Circuit. (Docket no. 135). The parties have conferred on these pending motions, and plaintiff does not intend to oppose defendants' motion to defer consideration of plaintiff's fee petitions (although plaintiff reserves his position that defendants have no standing to be heard on plaintiff's motion for a common fund fee and costs award). Plaintiff intends to file a response by February 10, 2006 confirming his position on defendants' motion.

Consistent with this agreement, the parties now jointly move the Court to issue an order continuing further briefing on plaintiff's attorneys' fee motions pending the Court's entry

of an Order resolving defendants' pending motion to defer consideration of plaintiff's fee motions.

Respectfully submitted,

s/ Thomas R. Theado per e-mail
per e-mail authorization on 2/7/06

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